

## A. STATE-AT-A-GLANCE

|     |  |  |
|-----|--|--|
| 1)  | <b>Program Operation</b>   | State Operated   |
| 2)  | <b>Number of Local Offices<br/>(excluding Agencies under<br/>Cooperative Agreements)</b> | 3  |
| 3)  | <b>Type of Agencies with<br/>Cooperative Agreements</b>                                  | Department of Law  |
| 4)  | <b>Uniform Interstate Family<br/>Support Act</b>   | Yes  |
| 5)  | <b>Agreements With Tribal Entities</b>   | No   |
| 6)  | <b>Age of Majority for Termination<br/>of Support</b>                                    | 18, Post Majority Support can continue to age 19 if child still attending high school and residing with custodial parent   |
| 7)  | <b>Statutes of Limitation:</b>   |  |
|     | • <b>Collection of Past Due Support</b>  | Age 21 of youngest child if arrears have been reduced to judgment and judgment is executed on, may be renewed at 10 year intervals   |
|     | • <b>Paternity Establishment</b>   | Age of majority of child   |
|     | <b>Dormancy Revival/Renewal<br/>Possible [yes/no]</b>                                    | Yes  |
| 8)  | <b>Guidelines</b>  | Percentage of obligor's income   |
| 9)  | <b>Interest Rates on</b>   | Statutory rate - 12% per annum   |
|     | • <b>Missed Payments</b>   | 12% per annum  |
|     | • <b>Retroactive Support</b>   | none   |
|     | • <b>Adjudicated Arrearage</b>   | 12% per annum  |
| 10) | <b>Arrearage Collections for Non-<br/>minor Child(ren)</b>                               | No   |
| 11) | <b>Distribution Scheme</b>   | Apply to current support first, then to non-AFDC arrears, then to AFDC arrears, except for IRS intercepted funds which get applied to AFDC arrears. If there are multiple cases, funds are distributed proportionately |
|     | • <b>AFDC Arrears</b>  | See above  |
|     |  |  |

|  |  |
|--|--|
| • <b>Non-AFDC Arrears</b>  | See above  |
| <b>12) Procedures Regarding Medical Support Using Income Withholding</b> | Yes  |
| <b>13) New Hire Reporting</b>  | Yes  |
| <b>14) Recovery of Costs Elected Under State Plan</b>                    | Yes  |
| <b>15) Recovery of Costs for Initiating State</b>                        | Yes  |
| <b>16) Long-Arm Statute/s Citation/s</b>                                 | AS 09.05.010 and UIFSA AS 25.25.201  |
| <b>17) Automated Locate Resources</b>                                    | Department of Labor, FPLS, 1099, Permanent Fund Dividend   |
| <b>18) Enforcement Options</b>   |  |
| -- <b>State Income Tax Refund Intercept</b>                              | No   |
| -- <b>License Revocation/Suspension</b>                                  | Passed during 1996 legislative session to be effective upon passage of Federal Welfare Reform  |
| -- <b>Administrative Liens</b>   | Yes  |
| -- <b>Property Seizure &amp; Sale</b>                                    | Yes  |
| -- <b>State Funds/Benefits (please specify)</b>                          | Permanent Fund Dividend, Unemployment Benefits, Worker's Compensation, Supplemental Benefits System (State employees), Public Employees Retirement, Teachers Retirement, Deferred Compensation |
| -- <b>Other (please specify)</b>   | Bank accounts, lottery winnings, creditor's claim against estate, lien on legal settlement   |
| <b>19) Spousal Maintenance Orders</b><br><i>(specify yes or no)</i>      |  |
| • <b>Establish</b>   | No   |
| • <b>Enforce</b>   | Yes when we are also enforcing a child support obligation  |
| • <b>Modify</b>  | No   |
| <b>20) Current Spouse/Partner Information Required</b>                   | No   |

## B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

|                               |          |
|-------------------------------|----------|
| <b>1) State Code Citation</b> | AS 25.25 |
|-------------------------------|----------|

|  |  |
|--|--|
| 2) <b>Effective Date</b>                             | January 1, 1996  |
| 3) <b>Adopted Verbatim? If no, list differences.</b> | No, did not adopt section 308, section 312 has additional language to include AK statute AS 25.27.275 which changes the non-disclosure provision to include requirements such as an order for visitation and current in support obligation, other minor technical changes that do not change the intent of the act |
| 4) <b>Repeal URESA?</b>                              | Yes  |
| 5) <b>Repeal IWW?</b>                                | Yes  |

## C. INCOME WITHHOLDING

|   |  |
|---|--|
| 1) <b>Income Withholding Terminology</b>  | Order to Withhold and Deliver (WID)  |
| 2) <b>Income Withholding Procedures</b>   |  |
| • <b>State Withholding Limits</b>   | 50% of disposable income after mandatory deductions  |
| • <b>Fee Charged by Employers</b>   | May charge \$5.00 per check  |
| • <b>Date to Remit</b>  | 10 days after date of withholding  |
| • <b>Penalty</b>  | Could be liable for full amount of arrears and costs   |
| 3) <b>Definition of Employer</b>  | Any person or organization having any person in employment, defined as personal services of whatever nature, including service in interstate commerce, performed for earnings or under any contract for personal services  |
| 4) <b>Included Income</b>   | Compensation paid or payable for personal services; wages or salaries; commissions or bonuses; periodic payments under pension plans, retirement programs and insurance policies of any type; industrial insurance; disability payments; unemployment compensation; gains from capital or labor, or both; fair value of nonmonetary compensation received in exchange for services |
| 5) <b>Excluded Income</b>   | Exempt funds such as AFDC, SSI, VA disability  |
| 6) <b>Direct Income Withholding for Unemployment Compensation, include address</b>    | Yes  |
| 7) <b>Direct Income for Workers' Compensation, include address</b>                    | Yes  |
| 8) <b>Direct Income Withholding, other income sources subject to, include address</b> |  |
| 9) <b>Direct Income Withholding, list Other Income Sources NOT subject to</b>         | Permanent Fund Dividend  |

|   |   |
|---|---|
| <b>10) Federal Withholding (See Federal Pay Agents Section)</b> | IV-D Directors need not answer this question.         |
| <b>11) Procedures for Contesting Income Withholding</b>         | Yes   |
| <b>12) Arrearages through Income Withholding</b>                | Yes   |
| <b>13) Enforcing Against Non-Resident Obligor Asset/Income</b>  | Yes   |
| <b>14) Exception to Immediate Withholding</b>                   | Yes   |
| <b>15) Multiple Obligations Withholding Priorities</b>          |   |
| • Policy  | Enforce orders equally up to 50% of attachable income |
| • Priority  | None  |
| • Assistance  | Carroll Schmidt, CSEO III                             |
| • Allocation  | See Distribution Scheme                               |

## D. PATERNITY

|   |   |
|---|---|
| <b>1) Interstate Paternity Procedures</b>                                 | Alleged father served with paternity complaint and an order for genetic tests; paternity can be established by default or admission; father may acknowledge paternity in writing after service of complaint or receipt of genetic test results; court will adjudicate in contested cases; genetic test that establish probability of paternity at 95% or higher create presumption that may be rebutted only by clear and convincing evidence. We will soon be implementing administrative paternity procedures |
| <b>Consent Orders Obtained</b>  | No  |
| <b>2) Uniform Parentage Act</b>   | No  |
| <b>3) Uniform Act on Blood Testing</b>                                    | No  |
| <b>4) Parentage Order Available Without Order for Support</b>             | Yes   |
| <b>5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction</b> | No  |
| <b>6) Genetic Test Results as Presumption of Paternity</b>                | Yes   |
| <b>Threshold</b>  | 95%   |

|     |   |                                      |
|-----|---|--------------------------------------|
| 7)  | <b>Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)</b> | Yes, rebuttable                      |
| 8)  | <b>Marriage as Presumption of Paternity</b>   | Yes, rebuttable                      |
| 9)  | <b>Putative Father's Name on Birth Certificate, Effect of</b>                       | Presumption of Paternity, rebuttable |
| 10) | <b>Other Statutory Presumptions</b>   | None                                 |
| 11) | <b>Recognition of Common Law Marriage</b>   | No                                   |
| 12) | <b>Personal Appearance of Witness or Custodial Parent Required</b>                  | No                                   |
|     | <b>Acceptable Methods of Testimony</b>  | Written, videotape, telephonic       |
| 13) | <b>Long-Arm Statute</b>   | AS 09.05.010                         |
| 14) | <b>Assistance to Other States Using Their Long-Arm Statutes</b>                     | Limited                              |
|     | • <b>Service of Process</b>   | Limited                              |
|     | • <b>Genetic Testing</b>  | Limited                              |
| 15) | <b>Recovery of Genetic Testing Costs for Other States</b>                           | Yes                                  |

## E. SUPPORT ORDER ESTABLISHMENT

|    |  |  |
|----|--|--|
| 1) | <b>Interstate Procedures</b>                 | For administrative procedures, Notice and Finding of Financial Responsibility is served on obligor, who can request an informal conference and provide income information; support is based on AK guidelines; appeals include formal hearing and judicial review |
| 2) | <b>Income Considered for Setting Support</b> | Total income from all sources  |
| 3) | <b>Criteria for Rebuttal</b>                 | Clear and convincing evidence  |
| 4) | <b>Support Order for Prior Periods</b>       | 6 years prior to service of paternity complaint or administrative notice or non-AFDC service of complaint  |

## **F. ENFORCEMENT**

**(Note: If multiple orders, see Part “G”)**

### **I. ENFORCING YOUR OWN ORDER**

|  |                             |
|--|-----------------------------|
| <b>1) Enforcement for Non-Resident Family</b>                          | Same as for resident family |
| <b>2) Administrative Procedures and Remedies Available</b>             | Yes                         |
| <b>3) Judicial Procedures and Remedies Available with Registration</b> | Yes                         |

### **II. ENFORCING OTHER STATES’ ORDERS**

|   |   |
|---|---|
| <b>4) Administrative Procedures and Remedies Available Without Registration</b> | Yes, we will use administrative remedies unless contested   |
| <b>5) Judicial/Administrative Remedies with Registration</b>                    | Yes   |
| <b>6) UIFSA/URESA Registration and Enforcement Procedure</b>                    | Orders can be registered under UIFSA for either enforcement or modification and enforcement   |
| <b>7) Judicial Procedures Required after Registration</b>                       | None after registration for enforcement; if AK has jurisdiction, after registration for modification and enforcement, can modify in court |
| <b>8) Uniform Enforcement of Foreign Judgments Act Citation</b>                 | AS 09.30.250  |

## **G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS**

|  |  |
|--|--|
| <b>1) Jurisdiction Requirements</b>            | CEJ analysis per UIFSA   |
| <b>2) Modification Procedures</b>              | CS&ED will, upon request in non-AFDC cases and every 3 years in AFDC cases, review child support orders for possible modification of the child support obligation and for medical support using current financial information. Reviews can be requested on either administrative or judicial orders. |
| <b>3) Criteria for Modification</b>            | Substantial change in circumstances based on 15% or higher   |
| <b>4) Criteria for Change of Circumstances</b> | 15%  |

|  |  |
|--|--|
| <b>5) Frequency With Which Reviews are Conducted</b> | Every 3 years on AFDC cases or upon request of non-AFDC case party |
| <b>6) Criteria for Review</b>                        | Same as above  |
| <b>7) Criteria for Adjustment</b>                    | Same as above  |

## **H. MULTIPLE ORDERS**

### **ENFORCEMENT AND MODIFICATION**

|                                     |  |
|-------------------------------------|--|
| <b>1) Controlling Order</b>         | CEJ analysis per UIFSA, AS 25.25; order issued in child's current home state; if no order entered in child's current home state, order most recently entered |
| <b>2) Date of Controlling Order</b> | Analysis per UIFSA   |
| <b>3) If No Controlling Order</b>   | Enforcement: Highest order modification; all orders presented to tribunal, CEJ is assumed with entry of new order  |
| <b>4) Arrears Procedure</b>         | All orders are given Full Faith and Credit; arrears are not modifiable   |

# I. Documentation Required to Initiate Requests

| ACTION REQUESTED                                      | DOCUMENTS NEEDED   | # of<br>Copies<br>of<br>each<br>docu-<br>ment | Certifi-<br>cation<br>required<br>for each<br>docu-<br>ment<br><br>*See<br>below |
|---|--|---|--|
| Establishment of Paternity and Support                | Paternity affidavit, transmittal, application for services or assignment of rights                 | 3   | A & B  |
| Enforcement of Responding State's Order               | Transmittal, affidavit of arrears, copy of order, application for services or assignment of rights | 2   | A & B  |
| Modification of Responding States' Orders             | Same as above  |   |  |
| Administrative Enforcement of Another States' Order   | Same as above  |   |  |
| Registration for Enforcement of Another States' Order | Same as above or UIFSA requirements  |   |  |
| Collection of Arrearages in Multiple Orders           | Copies of all orders and complete payment history  |   |  |
| Uniform Enforcement of Foreign Judgments Act          | Not used   |   |  |
| Modification of Another State's Order                 | UIFSA requirements   |   |  |
| Status Update on an Existing Interstate Case          | Letter   | 1   |  |
| Assistance/Discovery                                  | Use UIFSA draft form, if needed, may request copy  | 1   |  |
| Quick Locate  | Locate Data Sheet  | 1   |  |

\***A**= Notarization by Notary Public; **B**= Certification by signature of agency official;  
**C**= Certification by signature of court official; **D**= Others (please specify);  
**E**= Certification not required



## J. State Contact Chart

| ASSISTANCE NEEDED   | CONTACT<br><br>Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)  |
|---|--|
| State Information Agent   | Dale Ludwig, CSEO III, Quality Control, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6829 (direct) 907-269-6914 (fax)                      |
| Central Registry  | Billee Strauch, CSEO II, Team 9, 550 W 7th Ave, 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6990 (direct) 907-269-6914 (fax)                              |
| Interstate Policy Contact (if different)                                    | Georgette Crosa, CSEO III, Interstate Manager<br><br>550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6837 (direct) 907-269-6914 (fax)         |
| Contact for Information Regarding Your States Long Arm Statute and Process  | Laurel Hinshaw, CSEO III, Paternity & Establishment Manager, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6836 (direct) 907-269-6914 (fax) |
| Contact for Information Regarding Collection and Distribution (State level) | Charlotte Willingham, CSEO III, Accounting Manager, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6835 (direct) 907-269-6914 (fax)          |
| Contact to Obtain Payment Records   | Georgette Crosa, CSEO III, Interstate Manager<br><br>550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6837 (direct) 907-269-6914 (fax)         |
| Contact to Obtain Copy of Order   | Georgette Crosa, CSEO III, Interstate Manager<br><br>550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6837 (direct) 907-269-6914 (fax)         |

|   |   |
|---|---|
| Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for | See below   |
| · Service of Process<br><br>(private process server? If so , list)  | John Main, CSEO III, Investigations/Employer Reporting, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6832 (direct) 907-269-6914 (fax) |
| · Genetic Testing<br><br>( e.g. assistance with interstate teleconferencing)  | Venus Lamb, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6776 (direct) 907-269-6914 (fax)   |
| New Hire Reporting Contact  | John Main, CSEO III, Investigations/Employer Reporting, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6832 (direct) 907-269-6914 (fax) |
| Employer Assistance Contact   | Carroll Schmidt, CSEO III, Enforcement Manager, 550 W 7th Ave., 4th Floor, Anchorage, AK 99501-6699<br><br>907-269-6838 (direct) 907-269-6914 (fax)         |
| Telephone Number for Automated Interstate Case <i>Status</i> Requests<br><br>(if any)                               | None  |
| Telephone Number for Automated Interstate Case <i>Payment</i> Requests<br><br>(if any)                              | 907-269-6900  |
| Privatization Contact   | None  |